

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
1st Regular Session

HOUSE BILL NO. 2210



Introduced by: **HON. MAYO Z. ALMARIO**

EXPLANATORY NOTE

According to reports and some information gathered through the internet, there have been numerous recorded incidents of malfunctioning aircrafts navigational systems which can be partially attributed to the unauthorized operation of passenger carry-on electronic equipment on board the aircraft. The Air Transportation Office (ATO) has only issued recommendatory or directory guidelines to all local airline companies, such as Memorandum Circular Nos. 121 & 165 and Administrative Order No. 91, which generally prohibit passengers from operating carry-on electronic devices from the time that they have boarded the aircraft up to the time they get-off from the same and the local airline companies has no fool-proof system of imposing said prohibitions apart from the departure and landing announcements made by the cabin crew during the flight. Passengers violating the same are not being reported to the proper authorities and cannot be penalized and apprehended by them precisely because there is no law providing for a compulsory process, which prohibits the usage of carry-on electronic devices during the flight.

Enactment of this bill is earnestly sought.


MAYO Z. ALMARIO

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HOUSE BILL NO. 2210

Introduced by **REP. MAYO Z. ALMARIO**

AN ACT
TO PROHIBIT AND PENALIZE THE USE OF CERTAIN PORTABLE
ELECTRONIC DEVICES ON BOARD PHILIPPINE AIR CARRIERS
WHETHER COMMERCIALY OR PRIVATELY OWNED AND/OR
OPERATED FLYING OVER PHILIPPINE AIRSPACE

*Be it enacted by the Senate and House of Representatives
of the Philippines in Congress assembled:*

SECTION 1. Prohibited Act – it shall be unlawful for any person to operate at all times any portable electronic devices, which transmit radio signals while in the aircraft. These include, but are not limited to amateur radio transceivers, citizens band radios, pagers, cellular phones, text messaging devices, remote control devices, and other electronic devices and all other types of portable radio transceivers, whose operation in flight the carrier or commercial operator hereafter determines may likewise endanger the safety of flight. An aircraft is in flight from the moment all its external doors are closed following embarkation until any of such doors are opened for disembarkation.

It shall likewise be unlawful for any person to operate in flight non-transmitting devices at/or below ten thousand (10,000) feet altitude, or at any time the operator of which is stopped by the pilot-in-command in the interest of safety of flight because of the evident interference with the systems of the aircraft caused by their continued flight.

SECTION 2. Responsibility of Pilot-in-Command - The pilot-in-command of an aircraft may refuse boarding or may order the transfer of a passenger, wearing a medical device or using a portable electronic device, to another location in the aircraft when it is

determined by the former that the electronic device being worn or used by the latter is affecting the systems of the aircraft from his present position.

SECTION 3. Responsibility of the Air Carrier - The air carrier whether commercially or privately-owned and/or operated is responsible for ordering its passengers to comply with Section 1 and 2 provision of this bill on portable devices that may or may not be used in the aircraft.

SECTION 4. Penalty Clause – Any person who violates any provision of this Act is liable with a fine of not less than five thousand (Php5,000.00) but not more than ten thousand (Php10,000.00) and forfeiture of the device or devices used.

SECTION 5. Implementing Rules and Regulations – within ninety (90) days from the effectivity this Act, the Air Transportation Office (ATO) of the Department of Transportation and Communication (DOTC) shall promulgate the necessary rules and regulations for the effective implementation of this Act.

SECTION 6. Separability Clause – If any portion or provision of this Act is declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions not affected thereby.

SECTION 7. Repealing Clause – Any provision of law decree, executive order, rules and regulations, or any part thereof, in conflict with, or contrary to this Act, is hereby repealed or modified accordingly.

SECTION 8. Effectivity Clause – This Act shall take effect fifteen (15) days following its publication in the Official Gazette or any newspaper of general circulation.

Approved,